

**Conservation Commission Meeting Minutes  
January 22, 2014**

**Members Present:** Louis A. Napoli, Chairman, Albert P. Manzi, Jr., John T. Mabon, Deborah A. Feltovic, Sean F. McDonough (arrived at 7:09 p.m.), Douglas W. Saal.

**Member Absent:** Joseph W. Lynch, Jr. Vice Chairman.

**Staff Members Present:** Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge, Conservation Secretary.

***Pledge of Allegiance***

***Meeting came to Order at: 7:07 PM Quorum Present.***

***Public Hearings: 7:09 PM***

**Approval of Minutes of 11/6/13 Executive Session, & 11/20/13**

- A motion to accept the meeting minutes of 11/6/13 Executive Session and 11/20/13 as drafted and reviewed is made by Ms. Feltovic, seconded by Mr. Mabon.
- Vote unanimous.

***Request for Determination of Applicability***

**43 Oxbow Circle (Robinson) (Hayes Engineering, Inc.)**

- The Administrator presents the project: after the fact approval for a pervious patio partially within the 50' No-Build Zone.
- Mr. Mabon asks about special conditions including keeping the patio impervious, no enlargements or enclosures.
- Mr. Manzi states this needs to be a recordable document for those conditions to survive in perpetuity.
- A motion to accept the waiver request is made by Mr. Manzi, seconded Mr. Mabon.
- Vote unanimous.
- A motion to issue an after the fact negative determination #3 to be recorded at the registry of deeds is made by Mr. Manzi, seconded by Mr. Mabon.
- Vote 5 to 1 (Mr. McDonough opposed)

**Documents:**

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form1-Request for Determination of Applicability*
- *General Information*
- *Project Description*
- *Signatures and Submittal Requirements*
- *North Andover Conservation Commission Waiver Request form dated 12/13/13*

- *Notification to Abutter's Form*
- *Certified Abutter's List dated 1/8/13*
- *USGS Map dated 1/9/14*
- *NHESP Map dated 1/9/14*
- *As-Built Plan of Land dated 11/5/2009*
- *Photo's dated 11/5/2013*

### **107 Campion Road (Lot 89) (Saragas) (Wetland Preservation, Inc.)**

- The applicant George Saragas, and Curtis Young of Wetland Preservation, Inc., are present
- Mr. Saal read the legal notice.
- Mr. Young presents the delineation plan and describes the nature of the wetland area present on site. He states this area was used for staging during construction of the subdivision. Soil test pits reveal 18-inches of impervious fill material above bright upland soils with no evidence of a water table in the pits. Hydric soils and wetland vegetation are present within the fill. Mr. Young states the intention is to build a house on this lot. Even with a negative determination, the Commission would have the opportunity to review and comment on the plans.
- The Commission discusses the nature of the fill material.
- Mr. Saal states it sounds like crusher tailings. This would explain why water is just running off the hill.
- Mr. Young states infiltration would be provided in any house design.
- Mr. Manzi states that in this case, no one buried a wetland.
- The administrator states this area has some wetland functions and values.
- Mr. Saal asks if there was a wetland on site prior to the subdivision development. Mr. Young states that there was not.
- Mr. McDonough asks how the commission is supposed to ignore an Isolated Vegetated Wetland. He states Isolated Wetlands can be created in many different ways.
- Mr. Napoli suggests review of wetland area by a third party consultant.
- Mr. Young asks if the review would be to confirm that the area is filled upland.
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- Mr. McDonough states he would accept third party review. Mr. Saal states he does not think it is necessary.
- Mr. Young states the lot will be difficult to develop with setbacks and there would be no attenuation of flows across the site.
- Mr. Manzi states he does not disagree with the findings, just with the solution. States he would prefer an NOI filing that includes an alternatives analysis.
- Mr. Mabon supports third party review.
- Mr. Young agrees to limited third party review.
- Abutter David Anderson of 23 Cochichewick Drive states the area is overgrown and would be better cleaned up.
- Glenn Saba, representing the owner, states the owner purchased the lot 12 years ago and cost of permitting the lot with the ZBA, the Planning Board and the Commission may not be worth it. Mr. Saba mentions drainage was installed to mitigate water issues uphill.

- The Commission discusses the possibility of mitigating the wetland by creating rain gardens to mimic the functions and values of the isolated area.
- A motion to grant the request for a continuance to allow for third party review to the February 12, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

**Documents:**

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Project Description*
- *Signatures and Submittal Requirements*
- *Copy of Town Check*
- *Certified Abutter's List dated 12/29/13*
- *Notification to Abutter's Form*
- *Affidavit of Service dated 1/9/14*
- *Locus Map*
- *Soil Map dated 1/2/2014*
- *Map Information dated 1/2/2014*
- *Map unit Legend dated 1/2/2014*
- *NHESP Map*
- *FEMA/FIRM Maps dated July 3, 2012*
- *Photographic Log soil test pits*
- *Topographic Plan dated January 6, 2014*

***Notice of Intent (NOI)***

**242-1608, 120 Campion Road (Sigman) (Sullivan Engineering Group, LLC) (cont. from 1/8/14) (Request to cont. to 1/22/14)**

- A motion to grant the request for a continuance to the February 12, 2014 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.

**Document:**

- *E/Mail from Sullivan Engineering Group, LLC requesting a continuance to February 12, 2014 meeting dated January 15, 2014.*

**242-1593, 16 Berry Street (North Andover Holdings, LLC) (LEC Environmental Consultants, Inc.) (cont. from 1/8/14)**

- Theodore C. Regnante of Regnante, Sterio & Osborne LLP, Ann M. Marton of LEC Environmental Consultants, Inc., Matthew Bombaci of Goldsmith, Prest & Ringwall, Inc. are present
- Ms. Marton presents proposal for fencing, monumentation signage, and trail kiosks.
- Mr. Manzi states what kind of fencing.
- Ms. Marton states yes the fencing would be post and rail.
- Mr. Manzi states monumentation must be maintained in perpetuity and should be installed as proposed and at the direction of the Administrator.
- Mr. Napoli asks for signage about dog waste and dog waste stations on site.

- The Commission discusses mowing within the restriction. Annual.
- Mr. Manzi asks who will be in charge of property maintenance.
- The applicant states there will be onsite management and maintenance.
- The Administrator asks about an O&M plan for site maintenance. Commission agrees this will be conditioned.
- Ms. Marton reviews the status of the CR. Has been submitted to EOEEA. NHESP has minor changes.
- Next meeting with the ZBA is 1/28/14.
- Commission discusses the landscape plan.
- A motion to grant the request for a continuance to the February 12, 2014 meeting is made by Ms. Feltovic, seconded by Mr. Manzi.
- Vote unanimous.

**Documents:**

- *Letter from GPR dated 1/14/2014*
- *Revised watershed computations routing diagram for pre-development dated 1/15/2014*
- *Routing Diagram for post-development revised 3 dated 1/15/2014*
- *Water Budget Analysis*
- *Stormwater Management Report dated December 2013*
- *Compensatory Flood Storage Computations dated 1/15/2014*
- *Letter from GPR dated 1/14/2014 Traffic study*
- *Letter from GPR dated 1/14/2014 waivers driveways, school bus drops, stonewall. Street alignment, stormwater runoff, shade trees, Berry Street Finish pavement, the project certificate of occupancy should not be issued till the final pavement of Berry Street*
- *Multi-Family Residential Development Comprehensive Permit Plans dated January 14, 2014.*

**General Business: 8:30 PM**

**242-1575, COC Request, 21 Fuller Meadow Road (Kissel) (Kaminski & Associates, Inc.) (cont. from 1/8/14) (Request to Withdraw)**

- A motion to withdraw the request for a COC until erosion control can be removed is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.

**Document:**

- *E/Mail from Natalie Kissel requesting to withdraw the request for COC dated January 17, 2014.*

**242-273, PCOC Request, 15 North Cross Road (Lot 5) (Dalton & Finegold Attorneys at Law)**

- Eileen O'Connor Bernal of Dalton & Finegold Attorneys at Law is present.
- Field Inspector reviewed this PCOC request and there are no wetlands within 100 feet of the house.
- A motion to issue the PCOC for Lot 5 (15) North Cross Road is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.

**Documents:**

- *Letter from Dalton & Finegold Attorneys at Law dated 1/14/2014*
- *WPA Form 8A-Request for Partial Certificate of Compliance*
- *Subsurface Disposal System Plan dated 12/17/2003*
- *North Andover MIMAP dated 1/22/2014*
- *North Andover MIMAP dated 1/22/2014*

**Request for support for signage grant (Friends of North Andover Trails)**

- Glen Aspeslagh of the Friends of North Andover Trails is present.
- Mr. Aspeslagh reviews the grant proposal to provide consistent and higher quality signage for the town owned open space.
- Mr. Mabon asks if the Commission's rules and regulations would be posted.
- Glen states he would work closely with the Conservation Department to determine language on kiosks.
- Mr. Manzi asks about the location of the kiosks and states the kiosks will need to recognize funders.
- **Proposed Project Locations:** Mazurenko Farm, Carter Fields, Osgood Hill, Half Mile Hill, Stevens Estate (kiosks not installed yet), Windrush Farm, Foster Farm, James Swamp, Town Farm, Shawsheen River (wooden kiosks predating the others.)
- The Commission discusses need for maintenance at Foster Farm parking lot.
- A motion to support the application for funding is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

**Documents:**

- *E/Mail from Glen Aspeslagh from Friends of North Trials dated 1/14/2014.*
- *Letter from Glen Aspeslagh dated 1/14/2014.*
- *Support Letter Conservation Department signed by the Chairman dated 1/22/2014.*

***A motion to adjourn the meeting at: 8:45 PM is made by Mr. Manzi, seconded by Ms. Feltovic.***

***Vote unanimous.***